App. No. 10/788,989
Amendment Dated April 4, 2006
Reply to Final Office Action of February 7, 2006

REMARKS/ARGUMENTS

The Office Action dated February 7, 2006 rejected Claims 1-4, 6-9, 12, 14, 16-18 and 24-31. Claims 1, 4, 7, 9, 12, 16, 18, 24 and 25 are amended. In view of the amendments and the following remarks, reconsideration and allowance of all pending claims are respectfully requested.

Rejections under 35 USC § 112

The Office Action rejected Claims 4, 12 and 24 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Claims 4, 12 and 24 have been amended to the original limitation of "the hardware element is a soft-ware defined soft key." Thus, the rejection under 35 U.S.C. § 112, first paragraph, is overcome.

Rejections under 35 USC § 103

The Office Action rejected Claims 1, 6, 7, 9, 14, 18 and 25-28 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Publication No. 2004/0198455 ("*Deeds*"). The Office Action also rejected Claims 4, 12, 24 and 29-31 under 35 U.S.C. 103(a) as being unpatentable over *Deeds* in view of U.S. Patent Publication No. 2004/0204125 ("*Messel*"). The Office Action further rejected Claims 8 and 17 under 35 U.S.C. 103(a) as being unpatentable over *Deeds* in view of U.S. Patent Publication No. 2003/0164862 ("*Cadiz*"). In view of the amendments and the following remarks, Applicants respectfully disagree.

Claim 1, as amended, recites a "method for using a color scheme to communicate information associated with an event and related to the integration of hardware and software in a computing device, comprising: receiving an event at the computing device; determining whether the received event is a member of a select group of events, each event in the select group of events corresponding to a software element that has an associated color scheme, wherein the software element is associated with a user interface display of the computing device; determining a color value associated with the event that is a member of the select group of events, the color value corresponding to the color scheme of the software element, wherein a change to the color scheme of the software element results in a change in the color value; and illuminating the

Page 7 of 9

App. No. 10/788,989
Amendment Dated April 4, 2006
Reply to Final Office Action of February 7, 2006

software element on the user interface display and a corresponding hardware button on the computing device according to the color value when the event is a member of the select group of events to indicate the integration of the function of the hardware button with the software element such that the information associated with the event is communicated to a user."

Deeds teaches controlling the operation of light emitting elements of a mobile communications terminal based on a predefined color scheme associated with a predefined entry of a listing. The light emitting elements illuminate a portion of the terminal such that a user can identify the predefined entry based on the color scheme illuminating the terminal. *Messel* teaches a mobile communication terminal that includes a plurality of lights. The lights are activated in a sequence when an event occurs. The sequence corresponds to a particular event. *Cadiz* teaches automatically changing the color of graphically displayed tickets over time in order to unobtrusively alert a user as to changing information or communications state or status.

Neither *Deeds, Messel, Cadiz* nor any combination thereof teach the limitations recited in Applicants' Claim 1. Specifically, neither *Deeds, Messel, Cadiz* nor any combination thereof teach "determining whether the received event is a member of a select group of events,... determining a color value associated with the event that is a member of the select group of events,...and; illuminating the software element on the user interface display and a corresponding hardware button on the computing device according to the color value when the event is a member of the select group of events..." Therefore, the cited prior art, neither alone nor in combination, do not anticipate nor make obvious Applicants' Claim 1. Applicants submit that Claim 1, as amended, is proposed to be allowable and notice to that effect is solicited.

Claims 9 and 18 include substantially the same limitations discussed above in regard to independent Claim 1. As stated above, Claim 1 is proposed to be allowable. Therefore, independent Claims 9 and 18 are proposed to be allowable for at least the same reasons as independent Claim 1, and notice to that effect is solicited.

Furthermore, Claims 4, 6-8, 12, 14, 16, 17 and 24-31 are dependent on allowable base claims and are therefore allowable for at least the same reasons that Claims 1, 9 and 18 are allowable.
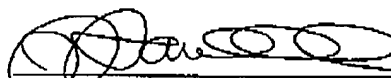
Page 8 of 9

App. No. 10/788,989
Amendment Dated April 4, 2006
Reply to Final Office Action of February 7, 2006

CONCLUSION

In view of the foregoing amendments and remarks, all pending claims are believed to be allowable and the application is in condition for allowance. Therefore, a Notice of Allowance is respectfully requested. Should the Examiner have any further issues regarding this application, the Examiner is requested to contact the undersigned attorney for the applicant at the telephone number provided below.

Respectfully submitted,

MERCHANT & GOULD P.C.

John J. Farrell
Registration No. 57,291
Direct Dial: 206.342.6261

MERCHANT & GOULD P.C.
P. O. Box 2903
Minneapolis, Minnesota 55402-0903
206.342.6200
[JJF/ab]

27488
PATENT TRADEMARK OFFICE

Page 9 of 9